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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/803,046	03/17/2004	Steve B. Owens	024777.0143PTUS	4606
44124	7590	12/11/2007	EXAMINER	
PATTON BOGGS, L.L.P. 2001 ROSS AVENUE, SUITE 3000 DALLAS, TX 75201			STRONCZER, RYAN S	
			ART UNIT	PAPER NUMBER
			4157	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/803,046

Applicant(s)

OWENS ET AL.

Examiner

Ryan Stronczer

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date 6-21-04 4-1-05 8-16-07
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Inventor's Patent Application
- 6) ☐ Other: _____

Specification

The use of the trademarks “GoVideo” and “Gateway” has been noted in this application. They should be capitalized wherever they appear and be accompanied by the generic terminology.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-7, 9-11, 15-18, and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Norcott et al. (US Patent No.: 6,775,518). Claim 1 recites a system comprising, “a system administrator; said administrator including a data stream source including a first file; said first file adapted to create a first data stream comprising a communication; said administrator also including a first decoder for receiving said first data stream from said source and converting it into a first analog signal...” Norcott teaches a system for providing multiple users in a facility access to multimedia content

stored remotely from the location in said the content is being accessed. Fig. 1 of Norcott teaches a "content and administration server" including storage for content media, as well as a means for a distributing the stored content to one or more users through a communications channel. The content and administration server further comprises an audio/video I/O 48; Norcott teaches, "Multi-channel PCI computer digital video decoder cards (not shown) as part of the AV I/O 48 are installed to provide analog audio and video to radio frequency television and video monitors..." (Col. 4, Lines 21-25). The PCI card(s) taught by Norcott performs the same function as the "first decoder" recited in claim 1.

Claim 1 further recites "...said administrator also including a controller for receiving instructions from a user interface; said controller being adapted to select said first file from said source...a first media player for receiving said first analog signal from said first decoder..." The content and administration of Fig. 1 includes a processor and input/output components for interfacing with system users and selecting the media content to be delivered to each user. Norcott teaches a television 60 that displays the selected media content.

Claim 2 recites "the system of claim 1 wherein said data stream source is a server." Fig. 1 of Norcott teaches a storage module containing multiple databases which is the functional equivalent of the recited server.

Claim 3 recites the system of claim 1, "wherein said file adapted to create a first data stream is in MPEG format." A sever storing digital multimedia content, as taught in Fig. 1 of Norcott, is inherently capable of storing MPEG files.

Claim 4 recites the system of claim 1, further comprising the limitation, "...wherein said user interface includes a telephone." Fig. 1 of Norcott teaches a telephone as a means for communicating with the Input/Output module; "[t]he telephony I/O **46** connects to a signaling system...In utilizing a telephone **56**, a standard PCI computer accessory card (not shown)...provides voice prompts and interprets touchtone responses from the user via the telephone **56**" (Col. 4, Lines 5-10).

Claim 5 recites the system of claim 1, further comprising the limitation, "...wherein said user interface includes a PC serially connected to said controller." Norcott teaches, "[a] user thus accesses the server **12** by means of a user terminal **64**...Therefore, the user terminal **64** may be a computer **68** which can both receive and transmit data or commands to the server **12** over a single communications channel **14**" (Col 2, Lines 48-55).

Claim 6 recites the system of claim 1, further comprising the limitation, "...wherein said user interface includes a PC networked with said controller." Fig. 1 of Norcott teaches a user terminal connected to the server interface via a LAN.

Claim 7 recites the system of claim 1, "wherein said first decoder further comprises a DVD player." Norcott teaches a "multi-channel PCI computer digital video decoder card (not shown)" (Col 4, Lines 21-22) to provide the same functionality as the recited DVD player. The recited DVD player receives a data stream from a file server; a "computer digital video decoder card" serves the same functionality as the DVD player.

Claim 9 recites the system of claim 1, further comprising "a first modulator for receiving said first and modulating said first analog signal into a first modulated signal

for transmission purposes.” Fig. 1 of Norcott teaches a TV modulator that receives the analog signal from the audio/video I/O (see claim 1) and transmits the modulated signal to a television set.

Claim 10 recites the system of claim 9, further comprising, “wherein said user interface is equipment already existing in said facility and said administrator is adapted to be compatible with said equipment.” Norcott teaches that an existing telephone system or LAN can be used to interface with the “Content and Administration Server” of Fig. 1. “Thus, communications channel **14** may be a coaxial cable...a dedicated Internet line...a telephone line capable of transmitting modem or voice signals, a wireless, cellular, or other RF channel, or any other communications channel...” (Col 4, Lines 32-37).

Claim 11 recites the system of claim 1, “wherein a cable network in said facility is adapted to receive said first modulated signal for display on said first media player.” As applied to claim 10, Norcott teaches that “any communications channel capable of carrying signals,” can be used to transmit the modulated signal from the TV modulator **50** to the television **60** in claim 1. An existing cable network in the facility, as recited, would be a communications channel as taught by Norcott.

Claim 15 is rejected by Norcott et al. as applied to claims 1 and 9-11.

Claim 16 is rejected by Norcott et al. as applied to claim 3.

Claim 17 is rejected by Norcott et al. as applied to claims 4-6.

Claim 18 is rejected by Norcott et al. as applied to claim 10.

Claim 20 is rejected by Norcott et al. as applied to claims 1 and 9-11.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Norcott et al.

Claim 8 recites the system of claim 1 further comprising, "wherein said administrator comprises: an internal network including a system server." Norcott teaches the system of claim 1 but does not explicitly teach that the content storage can be located remotely from the decoder and/or modulator, etc, as suggested by Fig. 4 of the present application.

Examiner takes Official Notice that it is well known in the art for a server containing multimedia content to be located remotely from the point of distribution and to be connected to the decoder via a network. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the content and administration server taught by Norcott so that the server containing multimedia content does not have to in close physical proximity to the input/output module.

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Norcott et al. as applied to claim 1 above, and further in view of Fish et al. (Pub. No.: US 2005/0078934).

Claim 12 recites the system of claim 1, "wherein said controller communicates with said decoder using an infrared system." Norcott teaches the system of claim 1 but does not teach a method wherein the controller (Input/Output 22) communicates with the decoder or video tape player 74 via infrared.

Fig. 1 of Fish teaches a personal video recorder 112 that accepts commands from a user and controls a secondary device (i.e. VCR 104) via infrared signal using IR Blaster 112. "In some PVRs, the 'Save to VCR' command causes the VCR to begin recording automatically, usually by using a so-called 'IR Blaster' to start and stop the VCR through its infrared remote control input" [0005]. The system taught by Fish, teaches a method in which a device accepts user input and issues commands to a second device via IR signals, exactly as the controller communicates with the decoder in the present invention. It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the IR blaster taught by Fish to utilize the infrared input of the VCR.

Claims 13-14 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Norcott et al. as applied to claims 1-11 and 15-18 above, and further in view of Ahmad (US Patent No.: 5,565,908).

Claim 13 recites the system of claim 1, "wherein the controller is further adapted to instruct a second decoder to select a second file on said source and cause a second data stream to be transmitted by said source to a second decoder...for transmission to a second media player." As applied above, Norcott teaches the system of claim 1 and suggests that content can be delivered to multiple media players (Col 1, Lines 46-48), but does not explicitly teach a method for incorporating additional decoders or modulators as a method to disseminate content to multiple media players.

Fig. 2 of Ahmad teaches a system in which a controller and a user interface (communications module **216**) control multiple decoders (ICM **206**) connected to television monitors. As Norcott suggests the possibility of delivering content to multiple media players, it would have been obvious to one skilled in the art at the time of the invention to modify the system of Norcott with the multiple decoders taught by Ahmad to distribute content to multiple users.

Claim 14 recites the system of claim 13, further comprising, "a first modulator for receiving said analog signal and modulating said analog signal into a first modulated signal; a second modulator for...converting said second analog signal into a second modulated signal; said first and second modulated signals being received into a combiner for creating a combined modulated signal for transmission into a media player network." As applied to claim 9, Norcott teaches a modulator for receiving a decoded analog signal. Fig. 7a and 7b of Ahmad teach multiple modulators for converting analog signals into modulated signals as well as a combiner **628** for combining multiple

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modulated signals into a combined modulated signal for transmission into a media player network.

Claim 19 is rejected by Ahmad as applied to claims 13 and 14.

Contact Info

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan Stronczer whose telephone number is (571) 270-3756. The examiner can normally be reached on 7:30 AM - 5:00 PM, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vu Le can be reached on (571) 272-7332. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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